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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,371	12/30/2005	Jonathan Halls	29610/CDT320	4787
4743 7590 11/12/2008 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606				
EXAMINER				
HO, ANTHONY				
ART UNIT		PAPER NUMBER		
2815				
MAIL DATE		DELIVERY MODE		
11/12/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/519,371

Applicant(s)

HALLS ET AL.

Examiner

ANTHONY HO

Art Unit

2815

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 57-86 is/are pending in the application.
- 4a) Of the above claim(s) 74, 76 and 78-86 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 57-73, 75 and 77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S5108)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 25, 2008 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 57-73, 75 and 77 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 57 recites the limitations, "said light emitting devices optionally further comprising a hole transporting material layer" and "said light sensing devices optionally further comprising a hole transporting material layer," but it is unclear if the hole transporting material layer is necessarily in the light emitting devices and light sensing devices. Thus, one of ordinary skill in the art would not be able to define the metes and

bounds of the claimed invention. For examination purposes, the hole transporting material layer is being interpreted as not in the claimed device.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 57-58, 60, 62-73, 75 and 77 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Yamazaki et al (US PUB 2002/0079512).

In re claim 57, Yamazaki et al discloses a combined information display and information input device comprising a matrix of independently addressable light emitting devices and a plurality of light sensing devices, said light emitting devices comprising organic light emitting diodes comprising organic light emitting material positioned between a low work function electrode formed from a low work function material layer (*in this case,*

aluminum) and a high work function electrode formed from a high work function material layer (*in this case, ITO*) and said light sensing devices comprising organic photovoltaic devices comprising at least an organic electron donor and at least an organic electron acceptor positioned between a high work function electrode formed from a high work function material layer (*in this case, ITO*) and a low work function electrode formed from a low work function material layer (*in this case, aluminum*), wherein the light emitting devices and the light sensing devices are disposed on a common substrate (430) and share (*in this case, it is being "shared" either electrically or capacitively*) the same high work function material layer or low work function material layer (Figure 4; Figure 19; paragraph 0034 – paragraph 0048; paragraph 0228 – paragraph 0232; paragraph 0372 – paragraph 0388).

In re claims 58 and 60, Yamazaki et al discloses one of the organic electron donor or organic electron acceptor or both comprises a semiconductive organic polymer (paragraph 0034 – paragraph 0048; paragraph 0228 – paragraph 0232; paragraph 0372 – paragraph 0388).

In re claims 62-64, Yamazaki et al discloses or suggests that all of the organic photovoltaic devices are sensitive to light in a non-visible region of the electromagnetic spectrum (paragraph 0034 – paragraph 0048; paragraph 0228 – paragraph 0232; paragraph 0372 – paragraph 0388).

In re claims 65-67, Yamazaki et al discloses or suggests that all of the photovoltaic devices are sensitive to light in the infrared region of the electromagnetic spectrum (paragraph 0034 – paragraph 0048; paragraph 0228 – paragraph 0232; paragraph 0372 – paragraph 0388).

In re claims 68-69, Yamazaki et al discloses or suggests that the organic light emitting devices comprise a group of light emitting devices emitting light of a color in the visible range, non-visible range, and the infrared region of the electromagnetic spectrum (paragraph 0034 – paragraph 0048; paragraph 0228 – paragraph 0232; paragraph 0372 – paragraph 0388).

In re claims 70-73, 75 and 77, Yamazaki et al discloses or suggests the device further comprises having column electrodes, row electrodes, a matrix of light sensing devices, a column driver and detector, and a row selector driver (Figure 1; Figure 4; paragraph 0034 – paragraph 0048; paragraph 0228 – paragraph 0232; paragraph 0372 – paragraph 0388).

Claim Rejections - 35 USC § 103

Claims 59 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki et al (US PUB 2002/0079512) as applied to claim 57 above, and further in view of Petritsch et al (WO 99/49525).

In re claim 59, Petritsch et al discloses at least one of the organic electron donor or organic electron acceptor comprises fullerene (Figure 5; page 8, paragraph 1 – page 9, paragraph 4).

The advantage is to enhance solubility (page 8, paragraph 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the combined information display and information input device as taught by Yamazaki et al with at least one of the organic electron donor or organic electron acceptor comprises fullerene as taught by Petritsch et al in order to enhance solubility.

In re claim 61, Petritsch et al discloses both organic electron donor and organic electron acceptor comprise a blend of semiconductive organic electron donor polymer and semiconductive organic electron acceptor polymer (Figure 5; page 8, paragraph 1 – page 9, paragraph 4).

The advantage is to enhance solubility (page 8, paragraph 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the combined information display and information input device as taught by Yamazaki et al with both organic electron donor and organic electron acceptor comprise a blend of semiconductive organic electron donor polymer and semiconductive organic electron acceptor polymer as taught by Petritsch et al in order to enhance solubility.

Response to Arguments

Applicant's arguments filed August 25, 2008 have been fully considered but they are not persuasive.

In response to applicant's argument that "no hole transporting layer is explicitly identified by either device" in Yamazaki, examiner asserts that the hole transporting material layer is being interpreted as not in the claimed device because of the use of the word "optionally".

In response to applicant's assertion that the light emitting devices and the light sensing devices share the same high work function material layer and the low work function material layer, examiner asserts that Yamazaki discloses the light emitting devices and the light sensing devices share the same high work function material layer and the low work function material layer. Since applicant has not specifically claimed how the light emitting devices and the light sensing devices are "sharing" the same high work function material layer and the low work function material layer, the light emitting devices and the light sensing devices in Yamazaki is interpreted as being "shared" either electrically or capacitively with the same high work function material layer and the low work function material layer.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY HO whose telephone number is (571)270-1432. The examiner can normally be reached on M-Th: 10:30AM-9:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Parker can be reached on 571-272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. H./
Examiner, Art Unit 2815

/Jerome Jackson Jr./
Primary Examiner, Art Unit 2815